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Filing date: **10/02/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91188339
Party	Plaintiff Russell G .Weiner
Correspondence Address	Seth I. Appel HARVEY SISKIND LLP Four Embarcadero Center 39th Floor San Francisco, CA 94111 UNITED STATES sappel@harveysiskind.com, iboyd@harveysiskind.com, dfreitag@harveysiskind.com, clee@harveysiskind.com
Submission	Withdrawal of Opposition
Filer's Name	Seth I. Appel
Filer's e-mail	sappel@harveysiskind.com, iboyd@harveysiskind.com, clee@harveysiskind.com
Signature	/Seth I. Appel/
Date	10/02/2009
Attachments	Withdrawal.091002.pdf (3 pages)(64700 bytes)

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
2 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

3 Serial No. 77501585

4 Mark: DIVE BAR ROCK STAR

5 _____
6 RUSSELL G. WEINER, an individual,)

Opposition No. 91188339

7 Opposer,)

8 v.)

9 EDWARD HOFRICHTER, an individual,)
10 and JOHN PISANO, an individual,)

11 Applicants.)
12 _____

13 **WITHDRAWAL OF OPPOSITION**

14 Pursuant to 37 CFR § 2.106(c) and the parties' agreement, Opposer Russell G. Weiner
15 withdraws his opposition with prejudice.

16 Dated: October 2, 2009

Respectfully submitted,

17 HARVEY SISKIND LLP

18 _____
 /s/

19 By: Seth I. Appel

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24 Attorneys for Opposer
25 Russell G. Weiner

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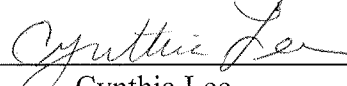
/s/

Seth I. Appel

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached WITHDRAWAL OF OPPOSITION, dated October 2, 2009 (Opposition No. 91188339), was served on Applicants by depositing a copy thereof with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to Mark Lebow, Young & Thompson, 209 Madison Street, Suite 500, Alexandria, VA 22314, on October 2, 2009.


Cynthia Lee